

**COMMONWEALTH OF VIRGINIA**  
**Department of Environmental Quality**  
**Valley Regional Office**

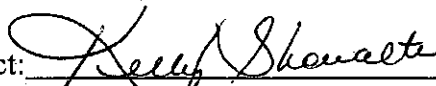
**STATEMENT OF LEGAL AND FACTUAL BASIS**  
**Minor Permit Modification**

Green Bay Packaging Inc.  
Winchester Coated Products Division  
Frederick County, Virginia  
Permit No. VRO81158

Effective Date: May 18, 2009  
Expiration Date: May 17, 2014

As required by 40 CFR Part 70 and 9 VAC 5 Chapter 80, Article 1 of the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution, Green Bay Packaging, Inc. – Winchester Coated Products has applied for a minor permit modification to the Article 1 Operating Permit for its Winchester Coated Products facility. The Department has reviewed the application and has prepared a modified Article 1 Operating Permit. This permit is based upon federal operating permit requirements of Title V, and Chapter 80, Article 1 of the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution

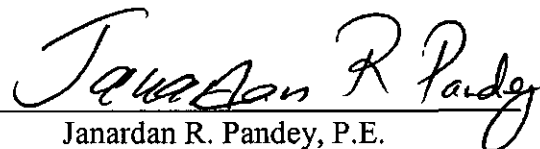
Engineer/Permit Contact:

  
Kelly R. Showalter  
(540) 574-7843

Date:

2/15/11

Air Permit Manager:

  
Janardan R. Pandey, P.E.

Date:

2/15/11

Deputy Regional Director:

  
B. Keith Fowler

Date:

2/15/11

## REQUESTED MODIFICATION

On October 27, 2010, the Valley Regional Office (VRO) received a letter dated October 19, 2010, with additional information received December 9, 2010 wherein Green Bay Packaging, Inc. – Winchester Coated Products requested an administrative amendment to its Article 1 Federal Operating Permit for the Green Bay Packaging, Inc. – Winchester Coated Products. Green Bay Packaging, Inc. – Winchester Coated Products requested the following changes to their permit:

Modify the List of Insignificant Emission Units to include a new boiler (1.969 MMBtu/hr)

Green Bay Packaging, Inc. – Winchester Coated Products requested that the Insignificant Emission table for insignificant emission units be modified to include a new boiler. This boiler is an insignificant emission unit per 9 VAC 5-80-720C.

## APPLICABILITY OF 9 VAC 5-80-570

Minor permit modification procedures can only be used for those permit modifications that:

1. Do not violate any applicable requirement.

*The incorporation of the insignificant unit does not violate any applicable requirements.*

2. Do not involve significant changes to existing monitoring, reporting, or recordkeeping requirements in the permit such as a change to the method of monitoring to be used, a change to the method of demonstrating compliance or a relaxation of reporting or recordkeeping requirements.

*The incorporation of the insignificant unit does not involve changes to existing monitoring, reporting, or recordkeeping requirements for the remaining equipment in the permit.*

3. Do not require or change a case-by-case determination of an emission limitation or other standard, or a source-specific determination for temporary sources of ambient impacts, or a visibility or increment analysis.

*The incorporation of the insignificant unit does not change any of the above referenced determinations for the remaining equipment.*

4. Does not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable federal requirement and that the source has assumed to avoid an applicable federal requirement to which the source would otherwise be subject. Such terms and conditions include:
  - a. A federally enforceable emissions cap assumed to avoid classification as a Title I modification; and

- b. An alternative emissions limit approved pursuant to regulations promulgated under §112(i)(5) of the federal Clean Air Act.

*Green Bay Packaging Inc. – Winchester Coated Products Division does not have any of these types of limits in their Article 1 Operating Permit.*

5. Are not Title I modifications.

*The requested modification is not a Title I modification.*

6. Are not required to be processed as a significant modification under 9 VAC 5-80-230 or as an administrative permit amendment under 9 VAC 5-80-560.

*The requested modification does not qualify as an administrative permit amendment or a significant modification.*

The modification can be processed using the minor permit modification procedures as defined in 9 VAC 5-80-210.

## **CHANGES TO ARTICLE 1 OPERATING PERMIT**

The Article 1 Operating Permit for the facility became effective on May 18, 2009 and will expire on May 17, 2014. The following changes have been made to the existing Article 1 Operating Permit:

Section VII:                      Section VII entitled Insignificant Emission Units, in the table emission unit 3U (boiler rated at 1.969 MMBtu/hr) was added.

## **PUBLIC PARTICIPATION**

The public participation requirements of 9 VAC 5-80-670 do not apply to minor permit modifications. Therefore, a public notice is not required.

9 VAC 5-80-570 D requires that “affected states” and EPA be notified of the of the minor permit modification request within five days of receipt of a complete application. West Virginia and Pennsylvania was notified December 16, 2010. EPA was notified of the receipt of the application by electronic mail on December 16, 2010. The proposed permit (only the revised page) was sent to EPA on December 16, 2010. EPA’s 45-day review period ended on January 31, 2011. No comments were received.